

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSHUA M. BERMAN,	:	
	:	Case No. 08-CV-00043
Plaintiff,	:	(DAB) (KNF)
	:	
v.	:	Civil Case Management
	:	Plan
TYCO INTERNATIONAL LTD.,	:	
a Bermuda corporation, and	:	
TYCO INTERNATIONAL (US) INC.,	:	
a Nevada corporation,	:	
	:	
Defendants.	:	
-----	X	

After consultation with counsel for all parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure.

The case is to be tried by a jury.

Yes X No

Counsel consent to trial by a U.S. Magistrate Judge.

Yes No X

Joinder of additional parties must be accomplished by: **August 30, 2008.**

Amended pleadings may be filed until **November 15, 2008.**

Discovery:

1. First request for production of documents, if any, to be served by **May 15, 2008.**
2. Interrogatories pursuant to Rule 33.3 of the Civil Rules of the Southern District of New York to be served by **May 15, 2008.**
3. Responses to first request for production of documents and interrogatories to be served by the earlier of **June 15, 2008 or thirty days after service.**

4. Depositions to commence no later than **August 15, 2008**.
 - a. Unless counsel agree otherwise or the court so orders, depositions are not to be held until all parties have responded to any first requests for production of documents.
 - b. Depositions shall proceed concurrently.
 - c. Whenever possible unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.
 - d. No depositions shall be extended beyond two business days without prior leave of the Court.
5. Experts, if any, are to be designated by **October 15, 2008**. Preliminary expert reports, if any, will be served no later than **November 30, 2008** and rebuttal expert reports will be served no later than **December 30, 2008**.
6. Requests to Admit, if any, are to be served no later than **October 15, 2008**.
7. All discovery is to be completed by **November 15, 2008**. Interim deadlines may be extended by the parties on consent without application to the Court, provided the parties are certain they can still meet the discovery completion date ordered by the Court, which shall not be adjourned except upon a showing of extraordinary circumstances.

Dispositive Motions:

1. Dispositive motions shall be served no later than **January 30, 2009**.
2. All motions and applications shall be governed by the Court's Individual Rules of Practice.

Trial:

1. The requirements for the pre-trial order and other pre-trial submissions shall be governed by the Court of Individual Rules of Practice.

2. The parties shall be ready for trial no later than **March 30, 2009**.

NEXT CASE MANAGEMENT CONFERENCE – _____
(to be completed by the Court)

DATED: New York, New York
April 25, 2008

SO ORDERED:

United States District Judge